

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

1. BRANDY GEIGER,)	
)	
Plaintiff,)	
)	Case No. <u>CIV-15-69-D</u>
v.)	
)	
1. NSC CHICKEN LP, d/b/a CHICKEN)	
EXPRESS,)	
)	JURY TRIAL DEMANDED
Defendant.)	ATTORNEY LIEN CLAIMED

COMPLAINT

Plaintiff Brandy Geiger, by and through her counsel of record, STOCKTON LAW GROUP, PLLC, respectfully files her Complaint against Defendant NSC Chicken LP, d/b/a Chicken Express, as follows:

THE PARTIES

1. Plaintiff Brandy Geiger (“**Plaintiff**” or “**Geiger**”) is an individual adult female who resides in Stephens County, Oklahoma.

2. Defendant NSC Chicken LP d/b/a Chicken Express (“**Defendant**” or “**Chicken Express**”) is a for-profit corporation that conducts business in the state of Oklahoma.

JURISDICTION AND VENUE

3. This civil action arises involves employment discrimination, harassment, and retaliation and is based on claims of sex discrimination, sexual harassment, the creation of a sexually-hostile work environment, and retaliation in violation of Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e, *et seq.*

4. Jurisdiction over Plaintiff’s federal causes of action is vested in this Court pursuant

to 28 U.S.C. § 1331.

5. Plaintiff has exhausted her administrative remedies by submitting an Intake Questionnaire with the Equal Employment Opportunity Commission (“EEOC”) on or about January 16, 2014, and a Charge of Discrimination with the EEOC on or about February 10, 2014. Plaintiff received her Dismissal and Notice of Rights from the EEOC dated October 23, 2014, and has filed this action within ninety (90) days of receipt of her Dismissal and Notice of Rights.

6. Defendant conducts business in Stephens County, Oklahoma, and all acts complained of occurred in or around Stephens County. Because Stephens County is located within the Western District for the United States District Courts of Oklahoma, venue is proper in this Court pursuant to 28 U.S.C. § 1391(b).

STATEMENT OF FACTS

7. Plaintiff Brandy Geiger, who is female, began her employment with Chicken Express in or around September 2013 as a crew member.

8. Throughout her employment, Geiger performed her job satisfactorily and was qualified for each position she held.

9. From nearly the very beginning of Geiger’s employment, her immediate supervisor, Daniel Smith, sexually harassed her on multiple occasions.

10. For example, Smith asked Geiger to go on dates with her, but she declined to do so. Smith also made crude sexual comments to her, including calling Geiger “sexy”, commenting about whether she “liked it rough”, and commenting about whether she liked certain types of non-procreative sexual conduct.

11. Smith also made comments to Geiger about whether her boyfriend was “satisfying”

to her. In addition, Smith physically touched Geiger without her consent by grabbing a wallet out of her back pocket.

12. Geiger was offended by Smith's comments and conduct and it was not welcome.

13. After Geiger refused Smith's advances, he treated Geiger differently in terms of her employment.

14. Geiger complained about Smith's conduct to an assistant manger at the store, Rachel Mayberry.

15. After Geiger refused Smith's advances and complained to management about them, she was discharged for pretextual reasons on or about October 2, 2013.

16. As a result of the conduct alleged above, Geiger has suffered damages.

THEORIES OF RECOVERY

A. TITLE VII OF THE CIVIL RIGHTS ACT OF 1964

Plaintiff incorporates all prior allegations and further alleges and states as follows:

17. The matters alleged above constitute violations of Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e, *et seq.*, in the nature of sex discrimination, harassment, hostile work environment, and retaliation.

18. As damages, Plaintiff has suffered lost earnings, past and future, emotional distress, and other equitable and compensatory damages allowed by the Civil Rights Act of 1991.

19. Because Defendant's actions were willful, wanton or, at the least, in reckless disregard of Plaintiff's rights, Plaintiff is entitled to punitive damages as provided by the Civil Rights Act of 1991.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays that the Court enter judgment in favor of Plaintiff and against Defendant and assess compensatory damages including but not limited to back pay, future wages, emotional distress damages, and punitive damages, together with pre- and post-judgment interest, costs, attorney's fees, and all other relief as this Court may deem equitable and appropriate and allowed by law.

Respectfully submitted,

s/ Joshua C. Stockton
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